

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 854 of 2020

- Khoman Lal Sahu S/o Late Baisakhuram Sahu, Aged About 31 Years
R/o Village Surgi, Police Station Surgi, Tahsil And District Rajnandgaon
Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station
Chowki Surgi, Police Station Basantpur, District Rajnandgaon
Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anup Majumdar, Advocate
For Respondent /State	:	Shri B.L. Sahu, P.L.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

19.3.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 525/2019, registered at Police Station Chowki Surgi, Police Station Basantpur, District Rajnandgaon(CG) for the offence punishable under Sections 376, 506 of the IPC.
3. As per the case of prosecution, the prosecutrix has lodged a report that on 2.11.2019, the applicant had committed sexual intercourse with her when she had gone to him for taking payment of her wages.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a major lady and she is doing work of labour under the applicant. On account of non-payment of wages, she has lodged a false report against the applicant. He submits that the applicant is in custody since 7.12.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE